

1 QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP

Albert P. Bedecarré (Bar No. 148178)

2 albedecarre@quinnemanuel.com

Matthew Cannon (Bar No. 252666)

3 matthewcannon@quinnemanuel.com

50 California Street, 22nd Floor

4 San Francisco, California 94111

Telephone: (415) 875-6600

5 Facsimile: (415) 875-6700

6 Attorneys for Plaintiff

IPSEN BIOPHARM LIMITED

8 MORRISON & FOERSTER LLP

James W. Huston (Bar No. 115596)

9 JHuston@mofo.com

Lawrence R. Katzin (Bar No. 142885)

10 LKatzin@mofo.com

Kimberly R. Gosling (Bar No. 247803)

11 KGosling@mofo.com

12531 High Bluff Drive, Suite 100

12 San Diego, California 92130-2040

Telephone: (858) 720-5100

13 Facsimile: (858) 720-5125

14 Attorneys for Defendant

BAYER HEALTHCARE LLC

16 UNITED STATES DISTRICT COURT
17
18 NORTHERN DISTRICT OF CALIFORNIA
19
20 SAN FRANCISCO DIVISION

21 IPSEN BIOPHARM LIMITED, a United
Kingdom corporation,

22 Plaintiff,

23 vs.

24 BAYER HEALTHCARE LLC,

25 Defendant.

CASE NO. CV 09-0394 (WHA)

**STIPULATION AND [PROPOSED]
ORDER TO DISMISS ALL CLAIMS
WITH PREJUDICE**

STIPULATION

Pursuant to Federal Rule of Civil Procedure 41(a) and Civil Local Rule 7-12, Plaintiff Ipsen Biopharm Limited ("Ipsen") and Defendant Bayer HealthCare LLC ("Bayer"), through their respective counsel of record, stipulate as follows:

1. All claims in Ipsen's Complaint for Damages and Other Relief, pending in this Court following removal by Bayer as Case No. CV 09-0394 (WHA), are dismissed with prejudice.

2. Ipsen and Bayer shall bear their own costs and attorneys' fees in connection with their prosecution and defense of the above-referenced action.

DATED: April 30, 2009

QUINN EMANUEL URQUHART
OLIVER & HEDGES, LLP

By /s/ Albert P. Bedecarré
Albert P. Bedecarré
Attorneys for Plaintiff
IPSEN BIOPHARM LIMITED

DATED: April 30, 2009

MORRISON & FOERSTER LLP

By /s/ Lawrence R. Katzin
Lawrence R. Katzin
Attorneys for Defendant
BAYER HEALTHCARE LLC

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: May 1, 2009

HON. WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

